IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 13TH DECEMBER 2007 / 22ND AGRAHAYANA 1929

Bail Appl..No. 7675 of 2007()

(CR. NO.71/2007 OFKATTAKADA EXCISE RANGE)
...

PETITIONER/ACCUSED:

LALITHA, D/O. AMMUKUTTYAMMA,
KIZHAKKUMKARA PUTHEN VEEDU, KANIYAMKONAM,
KUNNAMPARA, MALAYINKIL DESOM, MALAYINKIL VILLAGE,
NEYYATTINKARA TALUK.

BY ADV. SRI.T.A.UNNIKRISHNAN

RESPONDENTS: COMPLAINANT:

STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/12/2007,ALONG WITH B.A. NO.7678/2007 THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.Nos.7675 & 7678 of 2007

Dated this the 13th day of December 2007

O R D E R

Applications for regular bail. The common petitioner, a woman, in these two applications face allegations under the Kerala Abkari Act. She was allegedly found to be in possession of 10 litres of arrack on 01/10/2007 and 5 litres of arrack on 11/10/2007. In the former case she was not arrested whereas in the later, she was arrested on the date of detection, that is 11/10/2007. She continues in custody from that date. Her arrest has been recorded in the previous crime with effect from 26/11/2007 on the strength of a production warrant issued by the learned Magistrate. Except these two cases, the petitioner does not have any history of criminal antecedents, submits the learned Public Prosecutor.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that regular bail can be granted in both these cases to the petitioner who has remained in custody from 11/10/2007 subject to appropriate conditions.

3. In the result, these petitions are allowed. The petitioner shall be enlarged on bail on the following terms and conditions:

i) She shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioner shall make herself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007